
**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KEITH FETSURKA;	:	Civil Rights Complaint
TIMOTHY SIECK;	:	42 U.S.C. § 1983
NICOLAS DEFINA;	:	
ANDREW SCOTT; and,	:	
FIREARMS POLICY	:	
COALITION, INC.,	:	
Plaintiffs	:	
	:	
v.	:	Case No. – 2:20-cv-05857
	:	
DANIELLE OUTLAW,	:	
Philadelphia Police Commissioner;	:	
CITY OF PHILADELPHIA,	:	
PENNSYLVANIA; and,	:	
COL. ROBERT EVANCHICK,	:	
Commissioner of Pennsylvania	:	
State Police,	:	
Defendants	:	

MOTION FOR CONTINUANCE OF HEARING

COME NOW Plaintiffs Keith Fetsurka, Timothy Sieck, Nicolas Defina, Andrew Scott, and Firearms Policy Coalition, Inc., by and through their counsel, hereby respectfully request this Honorable Court continue the hearing on Plaintiffs’ Motion for Preliminary Injunction scheduled for January 5, 2021, and aver in support as follows:

1. Plaintiffs’ counsel has been in ongoing settlement negotiations with Defendants City of Philadelphia, Pennsylvania and Philadelphia Police Commissioner Danielle Outlaw’s (collectively “City Defendants”) counsel.

2. On December 18, 2020, counsel for the Plaintiffs provided City Defendants' counsel with a confidential settlement offer, as the undersigned advised the Court in Plaintiffs' prior motion for extension for time (ECF Doc. 32, ¶ 9).
3. On December 30, 2020, Plaintiffs received a counter proposal from City Defendants.
4. Plaintiffs are currently reviewing the terms of the proposed counter proposal and intend to reply to City Defendants as soon as practical and by no means later than January 4, 2021.
5. Plaintiffs have been and are continuing to work with City Defendants in good faith to achieve a resolution that would eliminate the need for further action from this Honorable Court.
6. As Plaintiffs' motion is currently scheduled for Tuesday, January 5, 2020, it would require the Parties spend time preparing for an impending hearing rather than continuing to work towards a timely settlement as this Honorable Court had previously indicated was preferable.
7. Plaintiffs respectfully request that this Honorable Court continue the hearing on Plaintiffs' Motion for Preliminary Injunction to January 12, 2021 so that the Parties may continue to focus on finalizing a settlement agreement which would obviate the need for such a hearing.

8. Counsel for the City Defendants were contacted and informed the undersigned that they do not oppose this motion.

9. Counsel for Col. Robert Evanchick was contacted and informed the undersigned that they do not oppose this motion.

WHEREFORE, Plaintiffs' respectfully request that this Honorable Court continue the hearing on their Motion for Preliminary Injunction to January 12, 2021. Consistent therewith, Plaintiffs would respectfully suggest that the current deadline for Defendants' brief in opposition to the Motion, currently due on January 4, 2021, also be extended by one week, to January 11, 2021.

Respectfully Submitted,

/s/ Adam Kraut
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